

Remarks

The Applicants have made several minor changes to the specification to place it in conformance with other earlier made changes and into final condition for allowance. These changes do not affect the merits of the application and do not affect the scope of the claimed subject matter. Entry into the official file is respectfully requested.

All of the claims stand rejected under 35 USC §103 over JP '941. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying JP '941 against the claims, particularly the detailed comments in the "Response to Arguments" section. The Applicants respectfully submit, however, that JP '941 fails to provide disclosure, teachings or suggestions that would cause one skilled in the art to eliminate the use of V in the manner claimed by the Applicants. Reasons are set forth below.

The Applicants enclose a Declaration of Mr. Kaneharu Okuda, a co-inventor herein, for the Examiner's careful consideration. Mr. Okuda's Declaration presents information concerning the Applicants' claimed subject matter versus JP '941 in a manner that demonstrates the non-obviousness of the claimed subject matter over JP '941. This information is particularly compelling as shown in Figs. 1 and 2 of the Declaration wherein the r value is shown as a function of the amount of C in solid solution state (Fig. 1) and the relationship between r value and tensile strength (TS) (Fig. 2).

Those figures illustrate results that would not be expected by one skilled in the art based on the teachings of JP '941. The groupings of data points in specific regions in the two figures could in no way be reasonably predicted or reasonably expected by one skilled on the art based on JP '941. In both figures, the Applicants' data points are in a tight grouping in the upper right hand corner of the two plots. This is contrasted to the scattered results shown by JP '941 and

other steels outside of the Applicants' claimed ranges. Again, this would not be expected based on the teachings of JP '941. The Applicants respectfully submit that JP '941 is inapplicable. Obviousness under §103 cannot be maintained in view of established unexpected results, which are now on the record. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750
Attorney for Applicants

TDC/sh
(215) 656-3381